

CONSERVATION COMMISSION
MINUTES OF THE MEETING
WEDNESDAY, AUGUST 15, 2007 – 7:00 PM
CATA CONFERENCE ROOM
3 POND ROAD
ROBERT GULLA, CHAIRMAN

MEMBERS PRESENT

Robert Gulla, Chairman
Ann Jo Jackson, Vice Chair.
Charlie Anderson
William Febiger
John Feener
Brandon Frontiero

MEMBERS ABSENT

Arthur Socolow

STAFF PRESENT

Nancy Ryder, Conservation Agent
Carol Gray, Recording Clerk

Ms. Ann Jo Jackson, Vice Chairperson will preside as Chairperson this evening.
Ms. Jackson calls the meeting into order and reads the agenda for the evening.

**CLOSURE OF HEARINGS, REVIEW OF FINAL INFORMATION AND
AMENDMENTS AND SIGNING OF PERMITS/DECISIONS**

15 WOLF HILL WAY

Ms. Ryder reviews this matter with the Commission noting that this is a continuation of a Violation hearing. She notes that photos from the site visit and information were sent to Mike Hale. A letter is to be sent to the property owner.

Ms. Jackson asks for a motion to continue the matter.

MOTION: Mr. Feener moves to continue the matter to 09/05/07 7:00 PM

SECOND: Mr. Anderson for completion of the process

VOTE: 5-0 all in favor

5 CEDARWOOD ROAD RDA

The Agent states that there has been a request for a continuation of this matter.

Ms. Jackson asks for a motion to continue.

MOTION: Mr. Feener moves to continue the matter to 09/19/07

SECOND: Mr. Frontiero **VOTE:** 5-0 all in favor

362 MAGNOLIA AVENUE NoI

Ms. Ryder reviews this matter with the Commission.

There have been no DEP comments since February.

Approval under the local Gloucester Wetlands Ord. with references made to DEP including the number and comments.

Mr. Gulla inquired as to the stewardship in regards to the property and Ms. Ryder stated yes that is the plan.

Mr. Feener notes that what if DEP says something is wrong.

Ms. Jackson asks for a motion to accept with a stipulation that if DEP comes back with comments this issue may be re-opened.

MOTION: Mr. Anderson

SECOND: Mr. Feener VOTE: 5-0 all in favor

1120 WASHINGTON STREET NoI

There has been a request for continuation regarding this matter from the Eng. Dept. Ms. Jackson asks for a motion to continue for refinement of the storm water management plan.

MOTION: Mr. Feener moves to continue the matter to 09/05/07 7:00 PM

SECOND: Mr. Anderson VOTE: 5-0 all in favor

462 ESSEX AVENUE NoI

The Agent reviews with the Commission stating that the revised plans were submitted that reflect the majority of the comments from the 8/1 hearing, including tree and shrub plantings and a stone barrier at the base of the ramps. It was further noted that work not shown on the revised plan includes the removal or cutting off of the bottom section of the ramp, placing the side stones in the drop off. The Agent notes that it was her understanding that this would be part of the final plan. DEP had no comments.

Two trees and six small shrubs were noted with Ms. Ryder stating that this is not enough and that the area needs to be fully covered. She has no recommendations for what type is to be planted.

Ms. Jackson inquires as to this being in the no disturb zone and Ms. Ryder stated yes.

Mr. Gulla notes the location of the ramp on the plan.

It was discussed that an added condition should be a requirement of 100% coverage of the landscape, (native ground cover).

Ms. Ryder read the conditions from the previous meeting and reviewed information before the GCC makes a decision.

Mr. Gulla inquired as to a further condition in regards to the mortality rate.

Mr. Feener stated that a 3 year mortality rate is fine with Ms. Ryder noting that this would be an additional condition.

Ms. Jackson asks for a motion to accept the plan.

Mr. Feener stated that he would rather see the stump sprouting not happen and not come back. Ms. Ryder inquired as to the GCC wanting to amend the plan to note the grinding of the stumps. Mr. Feener stated that if grinding is to be included as an amendment then it is not to exceed 6 inches below grade.

Mr. Gulla further noted that it should be grinding and that the root ball is not to be pulled out.

MOTION: Mr. Feener moves to accept the plan w/conditions.

SECOND: Mr. Frontiero VOTE: 5-0

71 & 79 CONCORD STREET ANRAD

The Agent reviews the plan with the Commission noting that comments in writing were requested and 1 was submitted. She states that most of the delineation was checked.

She notes soil samples and almost all showed non hydric soils but there is a Wetland.

Mr. Seacamp states that some ground water was seen and he further noted the vegetation.

Ms. Ryder cautions the Commission stating that this is not a good hydrological connection with Mr. Seacamp in agreement.

MOTION: Mr. Feener

SECOND: Mr. Anderson VOTE: 5-0 all in favor

47 GROVE STREET

The Agent reviews the plan with the Commission. She states that we now have an operational maintenance plan.

Mr. Gulla asks if they looked at the entire site.

Ms. Ryder notes that she thinks that there is a push for SW maintenance plan within the state.

She further states that the swale provides some remediation.

Ms. Ryder notes a draft and the conditions listed that were noted at the previous meeting.

Ms. Jackson asks for a motion.

MOTION: Mr. Anderson

SECOND: Mr. Feener VOTE: 5-0 all in favor

CoC 28-1739 101 EASTERN AVE.

Approved on 08/01/07 but not signed. Signed by all members present this evening.

CoC 28-1679 75 ESSEX AVE.

Approved on 08/01/07 but not signed. Signed by all members present this evening.

228 ATLANTIC ROAD AMENDMENT 28-1460

Approved on 08/01/07. The work was conducted without receiving a decision or on site project review.

MOTION: Mr. Feener moves to continue the matter to 09/05/07

SECOND: Mr. Anderson VOTE: 5-0 all in favor

PUBLIC COMMENT: Ms. Jackson notes that this is the time for members of the public to address the GCC with any environmental issues that are not listed on the agenda for this evening. **PUBLIC COMMENT**: none

16 CONONICUS ROAD (Map 231, Lot 13) **NEW**

Alcock Realty Trust to raze and rebuild a dwelling on the existing foundation and construct a detached garage.

Peter Alcock present and stating that this would be an upgrade to the existing property.

He stated that in 1947 this was a summer cottage. The orig. home was built in 1920 and was burned in 1930. His parents built the home on about ½ the existing foundation. He would like to make it more of a green property and more livable.

7:37 GCC member Mr. William Febiger arrives at the meeting.

There is no DEP number or comments as of yet.

Ms. Jackson notes that this will have to be continued as a result of work being started.

Mr. Alcock states that no work just grass being cut.

Ms. Ryder states that the coastal bank has been weedwacked.

Mr. Alcock states that he cut a path like you cut grass and that the bank is predominantly glacial rubble. He has tried to encourage wild vegetation and noted Woodbine and Sumac in the area.

Mr. Ryder notes that it is not just a path but the entire bank.

Mr. Gulla notes that John Judd (not present at this time), should take a look at this.

Ms. Ryder notes that he has on two different occasions.

Mr. Gulla notes that if there is a path it should be noted on the plan and add regular pruning to the path as well. Anything that is managed needs a maintenance plan as to what you can and cannot do. This being another minor addition to the foot print.

Mr. Alcock notes on the driveway side when the slab was poured they also poured a concrete patio.

Mr. Gulla asked if this was impervious from patio to structure and Mr. Alcock stated Yes.

Ms. Jackson asked if the GCC needs to have alternatives and Ms. Ryder stated Yes.

Ms. Jackson explains re: the alternatives that the applicant needs to show that the place they are doing this is the only place to have it done and everything is to be looked at to allow minor impact to the riverfront, along with explanations as to why other areas are not appropriate for the plan as it is.

You have to prove why this area is the only area that this can happen.

In review Ms. Jackson notes:

Alteration of the path, A DEP no. to be present, Engineering review and a maintenance plan for the walkway.

Mr. Gulla inquires as to sewer and/or water to the garage and it was noted that if going overhead it would not be an issue.

Mr. Gulla noted the sewer being trenched and Mr. Alcock stated that the sewer needs to be trenched with the septic being removed and a connection to the City sewer and water. It was noted that this issue is not on the plan.

Mr. Alcock states that it is noted on the plan in the form of a little circle with an S in it and shows the circle to the GCC. He notes the planting of trees, the hook up and notes where the trench will be located to connect to the City facilities.

Ms. Jackson asked if a well was present and Mr. Alcock stated he was not sure.

Ms. Jackson noted that it seems there are requirements from sewer and water regarding this hook up and that Mr. Judd needs to show on the plan the details of the distance.

Ms. Ryder asks the applicant to point out on the plan where the existing sewer and well are located. She further notes this being under the buffer zone line.

Mr. Gulla notes that on the plan he sees a lot of ledge, hence possible blasting needed.

He further asks how roof runoff will be controlled. The drainage should be noted in the SW management plan.

Ms. Ryder notes the following: Alternatives analysis to be done, no further cutting of the bank and evidence historically that it has always been cut, Engineering review, mitigation, utilities re: connection to sewer/water lines. The existing septic needs to be shown more clearly on the plan, information re: blasting which is not allowed, the roof runoff issues and a drainage management plan in place.

Ms. Jackson notes that the bank is an issue as it is a resource area.

Mr. Anderson states that the GCC should hear from John Judd re: how much time he needs. (Mr. Judd will be present at the meeting this evening at approx. 9:30 PM)

Ms. Jackson notes that this is being tabled until Mr. Judd arrives.

PUBLIC COMMENT:

Ms. Susan Goodall states that she is a neighbor and has no objection to the project going forward.

281R MAGNOLIA AVENUE NEW

Resource area delineation.

Mr. Jeff Andrews, Wetland Preservation reviews the plan with the GCC.

He notes a site visit being done with the Cons. Agent. Flag changes were made.

He notes as being a difficult rocky site and notes the WL area to the Commission.

He further notes a tiny area that holds water also noting a lot of ledge and rock.

Ms. Jackson notes the small area of flooding needs to be delineated.

Ms. Ryder notes the small area of WL being a bit further north. She submitted notes re: the site visit and that they were mailed. She further noted the possibility of two separate plans in re: areas designated WL, holding water.

Ms. Jackson suggested two maps or overlays on one map.

Mr. Andrews noted no WL vegetation and no hydric soils.

Ms. Jackson stated that the GCC needs to see that.

Mr. Andrews notes no definition regarding land subject to flooding.

The Agent states it is ANY land with Mr. Andrews again stating that there is no definition and he respectfully disagrees with the Agent. He would like to have another site walk to discuss this issue in the field.

Ms. Jackson states that it makes sense to continue the matter for the resource area delineation.

Ms. Ryder notes that a 3rd party review is an option.

Mr. Andrews notes that flags were removed noting a surveyor and that he will have a revised plan.

Mr. Gulla mentioned just the **** on the plan and Mr. Andrews stated yes noting the area outside the **** area. He is inquiring as to a continuation of this matter to 09/05/07.

Mr. Feener inquired as to the flood zone being marked and Mr. Andrews stated no, but the second time he planned to do that and it was dry.

Ms. Ryder stated that she had photographs and would send them in an email.

Mr. Andrews stated that he had photographs as well.

Ms. Ryder inquired as to the purpose of a continuation and Mr. Andrews stated that he hoped at that time he would be able to present a revised plan.

PUBLIC COMMENT: none, closed.

MOTION: Mr. Febiger moves to continue the matter to 09/05/07 9:30 PM
for further information re: the delineation.

SECOND: Mr. Feener VOTE: 6-0

Ms. Ryder stated that there is a possibility of continuing this matter to the spring as well. Mr. Gulla inquired as to the 3rd party review and if the Agent trusts that and Ms. Ryder stated that she thinks we need to see the area in the spring. We should bring this up at the next hearing.

CEDARWOOD ROAD (Map 242) **NEW**

The City of Gloucester: restoration of the stream and culvert violation.

Mr. Mike Hale, Asst. City of Gloucester Engineer present and reviewed the information with the GCC. He notes that the project exceeded the scope of what the City came to the GCC for initially. He notes a 1994 Health Dept. study – ongoing with no solution.

He notes an emergency article to free the headwall of debris, noting cars, tires and logs.

He notes a serious restricted flow and it has exceeded its bank.

1 – 9 Cedarwood Road flooded.

The flow has sought an overland discharge noting # 1, 3, & 5 having channels cut into the property and that the nature of the work done was beyond their scope.

He would like the Eng. Dept to oversee the work and to offer assistance. He noted a plan from 2000 which received a negative determination. The plan was reviewed and discussed further noting the WL and Buffer Zone Restoration Plan.

In 1999/2000 the City did not do all the work that the GCC allowed.

He noted deadfall in the stream channel and a lot of leaf and lawn debris, all of which having an impact on the channel.

Some grading has been done forcing the water back.

He would like to protect the headwall and notes that you have to go onto private property to get to it, most of which is on Fenley Road. He would like to remove some boulders that were installed. He states that this was a decent attempt but they need to be removed and begin some stream maintenance. He notes the stream being very overgrown.

Machinery will be required to remove the boulders and to re- shape the channel.

He notes an organic material (Filtrexx) to re-stabilize the bank. He notes a photo of the headwall and a significant amount of silt. A Letter Permit was denied. He notes this being on his desk since 2000. He states that there are serious hydraulics issues every year with this situation.

Ms. Ryder notes two ways: the acceptance as a resolution of an Enforcement Order done in X amount of months or come in as a NoI before the DEP, neither of which are thorough but will delay the work.

In other words accepting as a resolution or require full notice.

Mr. Feener inquires as to this being done under the direction of the Eng. Dept.

Mr. Hale notes that his dept. is under the Dept. of Public Works.

Mr. Gulla inquired as to restoration being done first and not fix the pipe.

Mr. Hale stated that some minor improvements can be made. He notes this as being a big fix and how is it to be funded.

He did not that by doing upstream work now could minimize the impact downstream.

The initial fix could take care of a lot of issues.

Mr. Gulla inquired as to a 100 yr. flood destroying anything that you may have restored.

Again Ms. Ryder notes the resolution of an Enforcement Order with the alternative being a DEP filing as an NoI, with either one being argued for or against. She notes the DPW agenda and the funding being issues.

Mr. Hale notes that he does not know as to what cycle of funding this would be under and cannot guarantee the funds to be available for this project.

PUBLIC COMMENT: none

Mr. Anderson stated the expeditious thing needs to be done and Ms. Jackson and Mr. Gulla were in agreement. The Agent notes that she is in complete favor expediting this. She further notes that if this is not in compliance we need to have the state involved.

Ms. Jackson notes that a time frame is needed.

Mr. Hale stated that he can ask the Director of Public Works for a time frame.

Ms. Ryder notes that we can require he be here for the next meeting.

Ms. Jackson notes that it is time to make this move along faster not slower.

Ms. Ryder notes some type of penalty phase if this work is held back and sits for a year or two.

MOTION: Mr. Feener moves to continue the matter for further discussion and the appearance of Mr. Parisi at the next meeting scheduled for 09/05/076.

Ms. Jackson notes she would like Mr. Hale to be present as well.

SECOND: Mr. Anderson VOTE: 6-0 all in favor

CEDARWOOD ROAD (Map 242, Lots 34, 35, 36, 37) **NEW**

The City of Gloucester to repair the culvert wit associated grading along the channel at Cedarwood Rd. and Atlantic Ave.

Mr. Mike Hale, Asst. City of Gloucester Engineer present and reviewed the information with the GCC. He notes needing direction and that a lot of analysis has been done. He notes an easement for 1 and 5, not 142 Concord or 9 Fenley. He has spoken with the Marshalls' at 142 and they would like to see this resolved.

The overland channel that is there now is completely on their property. He notes the best solution being a trapezoid style culvert and further notes an 8 inch tube re: silt removal making for better water at Jones River.

He notes it being very difficult to get behind properties 1, 3 and 5. He notes a lot of marine clay and the area always being wet with a practical place being at the streets' edge.

Mr. Gulla noted that a site visit should be done individually at a convenient time of each GCC member. He further notes that in re: the drainage channel what do you mean by re-create and have you only pushed the problem down to the 8 inch pipe, has the problem been just pushed downstream.

Mr. Hale notes a manhole on the plan that is in complete disrepair. It is completely engulfed in phragmites and grasses.

Mr. Feener notes the size of the pipes with a 4 bay into 2, and a 24 inch line is better than just one.

Ms. Ryder notes that in restoration, in daylight, the whole re-creation of the intermittent stream. You are shifting the problem now but significantly improving the problem.

Mr. Hale stated that he would like to see bowed or arched culverts which would allow water to move at a more natural pace.

Mr. Febiger asked how close to the retaining walls is this and Mr. Hale stated that they are moveable blocks and he would like to see them go.

Mr. Febiger asked if it would be deeper and Mr. Hale stated Yes.

PUBLIC COMMENT: none

Ms. Ryder notes giving Mr. Hale guidance in relation to daylighting.

Mr. Frontiero notes that with daylighting you will still have leaves falling, breaking down and obstructing it over time. He notes in re: the pipe, it is a good thing as it will have less maintenance. He asks if an increase in insects would result with the new increase of water in the area.

Mr. Hale notes that the 4 bay would not be in standing water. He notes lots of yard waste being dumped in the area. He feels the best case scenario would be to daylight it.

Bigger pipe not always the best answer and would like a box or arch design.

Mr. Anderson stated that a long term success would a maintenance report.

A maintenance plan and daylighting were discussed.

MOTION: Mr. Anderson moves to continue the matter to 09/05/07 7:30 PM for further discussion.

SECOND: Mr. Frontiero

VOTE: 6-0 all in favor

45 PRESSON POINT (Map 229, Lot 70) **NEW**

Bruce Devon requests the GCC to determine the applicability of the Wetlands Protection Act and the local Wetlands Ordinance for the construction of an addition on sonotubes. Bruce Devon present and discussed the plan with the GCC. He noted that the home is on ledge and pilings. He would like to add a bathroom and at a small rear entrance he would like to increase the size of it. Scrub grass and dirt are in that particular area. The addition would be 9 x 10.

Ms. Jackson asked if the work would be done by hand and Mr. Devon stated yes.

Photographs were reviewed by the Commission.

Ms. Ryder states that she has no issues and this would have little to no impact.

Mr. Devon states there is no basement and no foundation.

PUBLIC COMMENT: none

MOTION: Mr. Anderson moves for a neg. determination

SECOND: Mr. Febiger

VOTE: 6-0 all in favor

(positive 2B positive 5 negative 3) to be signed this evening.

9:05 5 Minute break MOTION: Mr. Febiger SECOND: Mr. Feener VOTE: 6-0 all in favor

54 GRAPEVINE ROAD (Map 76, Lot 37) **NEW**

Frank Burnham requests the Conservation Commission to determine the applicability of the Wetlands Protection Act and the local Wetlands Ordinance for the construction of an above ground pool.

Frank Burnham present and summarizes the project for the GCC and notes that the orig. pool was taken down and he now wants to put up a new pool 24 ft. round and bring it closer to the house.

Ms. Ryder notes digging trenches in the backyard is a violation.

Mr. Burnham states that it never happened.

Ms. Ryder states that she has no issues with the pool but that there is a need to address all the issues at the same time.

Mr. Burnham states that a crater was left and he filled it by hand.

Ms. Ryder notes that photos have been submitted and the GCC reviewed all photos.

She further notes that a visit to the site is needed.

An email sent in regards to Mr. Burnham and the issue this evening was sent and was reviewed by all members of the Commission as well as Mr. Burnham.
After review of the email Ms. Jackson stated that the email is more allegations and not substantiated. She would like to have the Agent go to the site re: the allegations.
Mr. Burnham stated that he would like to have someone come out to the site.
He feels the allegations in the email are a personal matter and he would like to get all of this resolved.

MOTION: Mr. Febiger moves to continue the matter to 09/05/07

SECOND: Mr. Anderson VOTE: 6-0 all in favor

NORTH LANDING WAY LANDING (Map 233, Lots 23, 24) **NEW**

The GCC to discuss violations that have occurred.

The landowner has requested additional time to file and NoI.

PUBLIC COMMENT: none

MOTION: Mr. Feener SECOND: Mr. Febiger VOTE: 6-0 all in favor

27 KONDELIN ROAD (Map 197, Lot 14) **NEW**

A filing under the City of Gloucester Wetlands Ordinance by Ralph Hobbs to construct a paved outdoor shed area, retaining wall, and storm water system with assoc. grading.

Alisha Raditz present and reviews the plan with the GCC. A discussion regarding the extensive notes from the Agent were discussed as well.

John Judd present and discussed the outdoor storage area for the storage of pipes, concrete, boxes, etc. This is proposed in the upland. He notes a poured concrete retaining wall and stacked concrete block wall, both being noted on the plan.

Storm water management form noted as # 8.

Ms. Ryder notes having the State form but there is a local as well. Engineering Dept. has the local form. This is new and should not relate to the appeal.

Mr. Gulla inquired with Ms. Ryder as to flag locations. Ms. Ryder states no, not as of yet.

Ms. Ryder asks the GCC to consider a 3rd party review.

Mr. Frontiero notes the plan regarding stripping of the soil.

Mr. Judd states that sub-surface drainage would be in place and revisions have been made due to DEP comments. Soil evaluations were done to determine B and C layers noting coarse to medium sand.

Mr. Frontiero notes that if you have to import soils then coarse to medium would be it.

Ms. Jackson notes this as being a difficult site.

Mr. Feener notes trees in the area and asks that an arborist be present.

Ms. Ryder notes that a 3rd party would come before the GCC.

Ms. Jackson notes that we need to be specific as to what is to be addressed re: 3rd party review. Mr. Feener thinks it is a good idea. Mr. Frontiero noted the tree mortality issue.

Mr. Frontiero further noted that they need to consider the materials that are to be stored on site.

Ms. Jackson inquired as to the utilities and Ms. Raditz stated just a catch basin system. Ms. Ryder asks if pre-treated concrete would be on site and Mr. Hobbs stated that it would be limited storage.

Ms. Jackson inquires with the Commission as to who would like to see a 3rd party review involved: Mr. Feener, Mr. Febiger and Ms. Jackson are in agreement for the 3rd party review with Mr. Anderson not sure, and comment from Mr. Frontiero not noted.

MOTION: Mr. Feener moves to have 3rd party review under the local WL Ord.

SECOND: Mr. Febiger VOTE: 5-0 ABSTENTION: Mr. Anderson

Ms. Jackson asks if there are specific issues for the 3rd party review and Mr. Hobbs asks who the 3rd party would be. Ms. Jackson stated that there is a list of individuals at the Agent's office. Ms. Ryder stated that the applicant can also submit 3 perspective reviewers as part of the selection.

Ms. Raditz notes that this is substantially different. Mr. Gulla notes that lots of members don't know the old plan to know if the new plan is in fact substantially different.

Ms. Raditz notes the original plan explaining the difference between old and new.

Mr. Anderson states that from crushed stone to pavement is a substantial change.

Mr. Frontiero stated that he sees substantial differences.

Ms. Raditz notes the increased setback, paved instead of stone and the SW management plan.

Ms. Jackson notes that it is not really a SW management plan as it is an Ordinance.

Ms. Raditz asks what is on the plan that is substantially different.

Mr. Gulla states that the scope of the site is close but the SW management is different.

The Agent notes that she agrees with Mr. Gulla and Mr. Anderson. SW has been added but it should have been there to begin with. The SW is not enough to meeting the burden of proof as a new project.

Ms. Raditz notes that initially we felt it was not required w/impervious and DEP said we needed SW management with pavement.

Ms. Jackson asks for a motion to determine whether or not this should be allowed as a resubmittal.

MOTION: Mr. Anderson moves to allow

SECOND: Mr. Frontiero

Resubmittal is allowed.

VOTE: 5-0 OPPOSED: Mr. Febiger

Mr. Hobbs noted that he would like to submit his 3 names for the 3rd party review.

In re: 3rd party: a site visit to be performed, soils info., tree mortality along the retaining wall and what other resource under local WL. Ord.

The Agent states that we can redo the list including issues for the 3rd party review existing points and any other additional information needed.

Mr. Febiger notes listing how the ground water impacts the WL. (a quality and quantity point of view.)

Mr. Frontiero notes that if the sub-grade cut out encroaches the ground water table, this could cause some problems.

Mr. Anderson notes that if we were to vote again he would no longer abstain.

The Agent states that she will re-write the scope and email it.

PUBLIC COMMENT:

Stephen Goldan, Gloucester, MA discussed with the GCC how they operate regarding public comment periods.

MOTION: Mr. Feener moves to continue the matter to 09/05/07 9:00 PM to explore the 3rd party review and further information needed.

SECOND: Mr. Anderson

Mr. Febiger inquires as to the site visit and Ms. Ryder notes that it would be a good idea to wait until the 3rd party is on board.

VOTE: 6-0 all in favor

12 SPRUCE ROAD (Map 109, Lot 44) **NEW**

Robert Parsons requests the GCC to determine the applicability of the WL Protection Act and the local WL Ord. for construction of an above ground pool.

Mr. Parsons addresses the GCC stating he wants to put up a pool. He notes a site visit with the Agent. He further states that there is 80 ft. between the house and where the lawn stops.

Ms. Ryder felt there was a main concern re: cutting up to the WL but that seems to be resolved but feels there should be a little more vegetative buffer near the patio.

Mr. Feener notes a 4 ft width and Ms. Ryder notes that 4 ft is not enough and notes 10 ft, 10 ft in front of the WL flags.

PUBLIC COMMENT: none

Ms. Jackson asks for a motion to accept the project as delineated, 10 ft. no disturbance zone from flags onsite from the vegetative buffer.

Ms. Jackson further discussed the disposing of water if and when it is necessary, with a 2 week dissipation time re: chlorine in the water.

MOTION: Mr. Febiger moves to accept.

SECOND: Mr. Feener

VOTE: 6-0 all in favor.

36 WOLF HILL ROAD (Map 88, Lot 15)

Thomas Bubier requests the GCC to determine the applicability of the WL Protection Act and the local WL Ord. for construction of an addition and conversion of a boat house.

Mr. Bubier states that the existing deck and roof of the boat house is to be removed. He wants to add an addition and/or conversion above his boat house. He states there will be no increase in impervious surface and further notes that 5 bushes may have to be removed.

Mr. Gulla inquired as to any new construction outside the boat house.

Mr. Bubier stated that the roof would be removed, sonatubes to be installed approx. 9 ft. up. He feels that the revised plan is actually better than what was originally proposed.

Ms. Jackson notes that all work is to be done by hand and the planting and mitigation will need to be discussed.

The Agent notes that within the footprint and all by hand is rare.

PUBLIC COMMENT: none

Ms. Jackson notes mitigation at 2 to 1 and as such: 5 forsythia bushes replaced with 10 native shrubs on the bank towards the river.

The Agent notes a list of native non-invasive plantings.

(further noted: +2A, +5 and -3)

MOTION: Mr. Feener moves to accept.

SECOND: Mr. Anderson VOTE: 6-0 all in favor.

The landscape is to be submitted to the Agent.

4 CHERRY STREET (Map 105, Lot 22)

Scott Merchant to construct an addition, repaving of a drive, re-construction of a shed and restore the stream bank.

Mary Rimmer, rep. the applicant. Scott Merchant present. Mr. John Judd present.

Ms. Rimmer reviews the plan with the GCC noting the marked up area as being an amendment. She notes this as a 7000 sq. ft. lot.

Blue – Alewife brook

Green – knot weed

Orange – knot weed to the lawn

The addition is to be on pilings and elevated 2 ft above grade.

Eight Silky Dogwoods will replace the knotweed.

Ms. Ryder notes that she and Ms. Rimmer met in the office to discuss this.

The removal of the knot weed alone is not considered mitigation unless you are going to do planting as well. It takes more than 10 years to get rid of knotweed and mowing it alone does not do it.

Ms. Rimmer notes that this is an ongoing maintenance problem.

Mr. Merchant states that he has to weed wack his yard and the knotweed is taking over his whole yard.

Ms. Rimmer suggested a possible herbicide to be painted on or injected with no broadcast spraying involved. She suggests the fall to be the best time to do this.

Mr. Feener notes that if done in the fall it will go back into the root system and he would like to see this done now.

Mr. Gulla and Mr. Anderson noted approval of that with Mr. Febiger agreeing with Mr. Feener that it should be done now.

Ms. Jackson inquires as to this being a feasible goal to treat the knot weed and mitigate.

Mr. Merchant states that since the overflow of water and flooding, the knotweed has taken over.

PUBLIC COMMENT: none

Ms. Jackson notes: replace knotweed with non invasives, a 3 year monitoring of the mortality of the new shrubs, and that the type of plantings be specifically noted on the plan.

Mr. Feener notes that the applicant has a photograph of the lawn before the knotweed.

Ms. Jackson asks for a motion to accept with mitigation and herbicides will have spot applications (stem or wicking).

MOTION: Mr. Feener moves to accept.

SECOND: Mr. Anderson VOTE: 6-0 all in favor

25 WINGAERSHEEK ROAD (Map 257, Lot 250)

Samuel Saccardo to construct a residential dwelling and garage with associated driveway, grading and utilities.

Mr. John Judd, Gateway Consult. rep. the applicant Mr. Saccardo who is also present. Mr. Judd notes the plan stating it is resubmitted with the structure moved 37 ft. along with the elimination of the proposed attached garage. 6000 Ft of Mitigation was noted as well as possibly tightening up the erosion control.

He further noted in re: the septic location he notes a Certified Arborist by the name of Doug LaChance called in re: the trees in the area.

DMF Letter has been received and Mr. Judd read from the letter to the GCC noting no negative impact.

Ms. Ryder notes the judicatory law decision and further notes the septic not being on the barrier beach. ***** is in opposition to what DEP would like to accomplish.

She further reads info re: coastal dunes and barrier beaches. This document puts a whole new spin on this and they may want to confer with DEP. This applies to every dune on the beach.

Mr. Judd notes that DEP has photos and a revised plan.

Ms. Ryder recommends that the GCC should read the documents she has feeling it would be beneficial when making a decision. She further noted that she did not feel dune grass was appropriate in an attempt to stabilize the area.

Mr. Febiger inquired as to the depth of the septic with the revised plan and Ms. Ryder notes a disturbance of trees. Mr. Febiger notes that as a problem.

Ms. Ryder notes that performance standards for a barrier beach is not primary, it's all barrier beach. She suggests a meeting with CZM and DEP.

PUBLIC COMMENT: none

Ms. Jackson inquired as the meeting Ms. Ryder notes above and Ms. Ryder states that she would like to happen as soon as possible.

Ms. Ryder can schedule the meeting with GCC members present.

Mr. Saccardo asked if he could attend the meeting and the members stated that they don't see why not. Mr. Saccardo will call the Agent's office for a date and time.

MOTION: Mr. Feener moves to continue the matter for more info. from CZM and DEP to 09/05/07 9:00 PM.

SECOND: Mr. Anderson VOTE: 6-0 all in favor.

16 CONONICUS ROAD

Ms. Ryder reads information to Mr. Judd and will also email him the information regarding this matter. She reviews the information for the GCC and Mr. Judd as to what is to be done. A site visit was conducted with the Agent and John Judd present.

There is no DEP number or comments issued as of yet.

This is just an initial review and comments.

A motion was requested to continue the matter.

MOTION: Mr. Feener moves to continue the matter to 09/05/07 9:00 PM

SECOND: Mr. Anderson VOTE: 6-0 all in favor.

LETTER PERMITS

89 DENNISON – info reviewed, Letter Permit granted.

FLOATING ART – (in the harbor off of Stage Fort Park) – Letter Permit granted.

COOKFIRE PERMIT – (Coffins Beach location, Jan Klein request) – The Agent notes this as being more a neighborhood dispute than an environmental issue.

Mr. Gulla notes this as possible a fire code issue.

The Agent states that she will send a letter.

TEMP. BOARDWALK – The Agent and the GCC discuss the request by Atty. Ferrante to rescind a letter permit for a temp. boardwalk over an existing ROW issued by the Commission office.

MOTION: Mr. Feener moves to adjourn the meeting.

SECOND: Mr. Anderson VOTE: 6-0 meeting adjourned

Respectfully submitted,

Carol A. Gray
Recording Clerk

DRAFT